

AO 91 (Rev. 11/11) Criminal Complaint (modified by USAO for telephone or other reliable electronic means)

**UNITED STATES DISTRICT COURT**  
for the  
Southern District of Ohio

United States of America  
v.  
James Tyree KEYS

Case No. 2:22-mj-595

\_\_\_\_\_  
*Defendant(s)*

**CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 19, 2022 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

*Code Section**Offense Description*

Title 26 U.S.C. §§ 5861(d)

for possession or receiving a firearm which is not registered to them in the  
National Firearms Registration

Title 18 U.S.C. §§ 922(o)

transfer or possession of a machinegun

This criminal complaint is based on these facts:

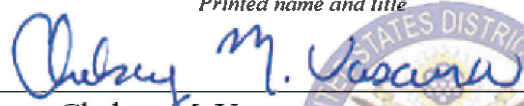
**SEE ATTACHED**☒ Continued on the attached sheet.

*Complainant's signature*

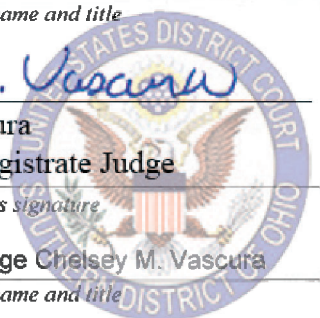
S. Chappell ATF TFO

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 9/2/2022City and state: Columbus Ohio

Chelsey M. Vascara  
United States Magistrate Judge*Judge's signature*

U.S. Magistrate Judge Chelsey M. Vascara

*Printed name and title*

**PROBABLE CAUSE AFFIDAVIT**

**James T. KEYS**

I, Samuel Chappell, being duly sworn, depose and state that:

1. I have been an Officer with the Columbus Division of Police (CPD) since 2007. I have been assigned to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Task Force Officer (TFO) since 2017. As a result of my training and experience, I am familiar with state and federal laws pertaining to firearms and narcotics violations, among other offenses.
2. This affidavit is being submitted in support of an application for a criminal complaint against James T. KEYS (hereinafter referred to as KEYS) for possession or receiving a firearm which is not registered to him in the National Firearms Registration in violation of Titles 18, United States Code, Section 922(o) and transfer or possession of a machinegun in violation of Title 26, United States Code, Section 5861(d).
3. The facts set forth within this affidavit come from the Affiant's own personal involvement with the investigation, as well as information provided by other law enforcement officers and reports. The information outlined below does not contain all details or all facts of which I am aware relating to this investigation but rather is provided for the limited purpose of establishing probable cause that KEYS committed this offense.
4. According to a Groveport, Ohio Police Department (GPD) report that I have reviewed, on or about August 19, 2022, GPD officers were dispatched on a report of a person with a gun at the Groveport Madison High School football game. The caller stated that the person with the gun was in the parking lot near the school buses. The game was being played at the high school located at 4465 S. Hamilton Rd., Groveport Ohio. Due to the ongoing football game multiple GPD officers were at scene.
5. Multiple GPD officers went to the parking lot to locate the armed individual. Once in the parking lot officers observed a large group of individuals fighting. As officers were approaching the group, they heard several gunshots come from the area of the fight. Officers ran towards the chaotic scene. Officers observed people running and people laying on the ground.
6. Officers cleared the parking lot and approached a building where they were passed by KEYS. At the time officers were unaware of his involvement. Two witnesses approached officers who excitedly told officers what they had witnessed. One of the witnesses pointed at KEYS and informed them KEYS was the shooter.
7. Officers approached KEYS who then ran on foot towards the east side of the high school. Officers pursued KEYS on foot and were able to apprehend him on the southeast side of the parking lot.
8. During a search of the area officers located a loaded Glock model 29 10mm caliber pistol bearing serial number BTSU679. The pistol was found in the area officers had observed KEYS leaving after shots had been fired. The pistol was found to have been modified with an auto sear.

**PROBABLE CAUSE AFFIDAVIT**


**James T. KEYS**

This auto sear is commonly referred to as a "Glock switch" or "switch". This auto sear modifies a Glock pistol to fire more than one shot, without manual reloading, by one pull of the trigger.

9. KEYS was arrested and slated at the Franklin County Jail.
10. On or about August 29, 2022, a record check of the National Firearms Registration and Transfer record was conducted. No records of KEYS or the Glock model 29 10mm caliber pistol bearing serial number BTSU679 were found in the registry.
11. On or about September 1, 2022, the CPD Crime Laboratory conducted an operability test on the Glock model 29 10mm caliber pistol bearing serial number BTSU679. The firearm was found to be capable of firing both semi- and full-automatic.
12. On or about August 20, 2022, KEYS makes a phone call from the Franklin County, Ohio Jail to an unknown male. The call is made using KEYS's pin number. The unknown male asks KEYS what happened. KEYS and the male have a detailed conversation about the shooting and the events before and after it. During the call KEYS and the male refer to the "two nine" and the "whatsitsname" during their conversation. Investigators believe that both terms are being used to refer to the Glock model 29 pistol.
13. During the conversation the unknown males asked KEYS "you just started (makes gunshot noises)." KEYS replies "yes all at em." KEYS also discusses throwing the gun prior to being arrested. KEYS describes running from police officers. KEYS also voices concern in reference to being caught with the "switch".
14. The aforementioned offenses occurred in Franklin County, Ohio, in the Southern Judicial District of Ohio.
15. Based on this information, your affiant believes probable cause exists that KEYS possessed a machinegun and possessed or received a firearm which is not registered to him in the National Firearms Registration and Transfer Record that is, a Glock model 29 10mm caliber pistol bearing serial number BTSU679, in violation of Title 18, United States Code, Section 922(o) and transfer or possession of a machinegun in violation of Title 26, United States Code, Section 5861(d).

  
ATF TFO Samuel Chappell

Sworn to and subscribed before me this day of September 2, 2022, at 1:18pm in Columbus, Ohio.

  
Chelsey M. Vascara  
U.S. Magistrate Judge